

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ARIEL INVESTMENTS, LLC,)	
Plaintiff,)	
)	Case Number: 1:15-cv-3717
v.)	
)	Judge: Hon. Matthew F. Kennelly
ARIEL CAPITAL ADVISORS LLC,)	
Defendant.)	
)	

**DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT FOR
LACK OF PERSONAL JURISDICTION, IMPROPER VENUE AND/OR TO TRANSFER**

Defendant Ariel Capital Advisors LLC (“ACA”), by counsel, pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(3), respectfully moves this Court to dismiss all claims against it due to lack of personal jurisdiction and improper venue, or alternatively, move to transfer this action to the United States District Court for the Middle District of Florida, Ft. Myers Division, pursuant to 28 U.S.C. §1404 because the Middle District of Florida is the most convenient and appropriate forum for the adjudication of this dispute.

Defendant ACA respectfully requests that this Court grant Defendant’s motion to dismiss for lack of personal jurisdiction because Plaintiff did not sufficiently allege that Defendant had any contacts with Illinois, and because Defendant and the alleged conduct nevertheless do not have any connection with the Northern District of Illinois.

Defendant ACA also respectfully requests that this Court grant Defendant’s motion to dismiss for improper venue because Defendant ACA has no connection to Illinois, nor has Plaintiff alleged any. Indeed, ACA does not reside in Illinois, no “substantial part of the events or omissions giving rise to the claim occurred” in Illinois, nor does this Court have personal jurisdiction over ACA. *See* 28 U.S.C. §1391(b).

For each of the reasons stated above, the case should be dismissed. But even if this Court disagrees and finds both personal jurisdiction and venue to be proper, ACA then requests in the alternative that this case be transferred to the Middle District of Florida, Ft. Myers Division, pursuant to 28 U.S.C. § 1404(a) because that district is more convenient for the parties and witnesses, and is in the interest of justice.

For the reasons set forth above, and in the concurrently-filed Memorandum in Support of Defendant's Motion to Dismiss Plaintiff's Complaint for Lack of Personal Jurisdiction, Improper Venue, and/or to Transfer, Defendant respectfully requests that this Court dismiss this matter and/or transfer the case to the Middle District of Florida, Ft. Myers Division, and to award attorneys' fees, costs, and any other such relief as the Court finds just.

Dated: June 10, 2015

RESPECTFULLY SUBMITTED,

By: /s/ Brian T. Noack
One of the attorneys for Defendant

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CERTIFICATE OF SERVICE

The undersigned certifies that, on June 10, 2015 he caused this document to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of filing to counsel of record for each party.

Dated: June 10, 2015

WOLEK & NOACK

By: /s/ Brian T. Noack
Brian Noack